

REMARKS

No claims are amended, no claims are canceled, and no claims are added; as a result, claims 1-24 are now pending in this application.

Objection to the Title

The Office Action on page 2 states, "The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed." Applicant has amended the title, and submits that the amended title complies with MPEP § 606 which states, "the title should be brief but technically accurate and descriptive." Applicant therefore respectfully requests reconsideration and withdrawal of the objection to the title of the invention.

§102 Rejection of the Claims

Claims 1-13 and 17-24 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shiao (U.S. 2002/0091527 A1). Applicant does not admit that Shiao is prior art to the present patent application and reserves the right to swear behind the Shiao patent at a later date. Applicant respectfully traverses the rejection without amendment to the claims in light of the remarks below in support of patentability.

Applicant respectfully submits that this rejection under 35 U.S.C. § 102(e) is not proper since all the elements of claims 1-13 and 17-24 are not found in the single reference to Shiao. For example, claim 1 recites, "a search and analysis engine to search a network for contents based on the keywords; and a transformation engine to convert a data format used in the contents retrieved from the network into a format supported by a client device." (emphasis added) The Office Action on page 3 relies on paragraphs 0031-0032 of Shiao to disclose elements of claim 1, namely, a transformation engine to convert a data format used in the contents retrieved from the network into a format supported by a client device. As noted in Applicant's response to the previous Office Action, Applicant respectfully disagrees. In the previous response, Applicant stated,

In contrast, paragraph (0031) of Shiau states, "The results of the recognition are transferred back to server 303 and passed to HTTP server 302 which provides the query results to client 301." In paragraph (0032) Shiau states, "VerbalWAP CGI then dynamically generates a WML page responsive to that recognition and the page is transmitted back to client handset 403 via standard WAP gateway 406." Hence, Shiau fails to teach "a transformation engine to convert a data format used in the contents retrieved from the network into a format supported by a client device," so Shiau fails to teach each of the elements of claim[s] 1.

In the pending Office Action on pages 6-7, the Examiner respectfully disagrees with the above arguments, but now refers to paragraph 0041 of Shiau as teaching the missing elements of claim 1. The Office Action on page 7 states,

The examiner submits that Shiau does teach at page 5, ¶ 0041, Figure 13 that "a client-pull speech recognition system 1300...and a plurality of clients 1306...A vocoder 1311 generates the voice data frames from the input speech...for transmission to a client speech subroutine 1312 which performs speech feature extraction and **generates a client payload**. A system-specific profile database 1314 stores and transmits **system-specific client profiles**...A speech recognition server 1317 is communicable with gateway server 1304 and **performs speech recognition of the formatted client payload**...receives the formatted client payload from payload formatted 1313, converts the client payload to a wireless speech TP query...and transmits the content ...to client 1306 to be displayed on display 1309". Thus, Shiau teaches generates a client payload based on a client's specific profiles and converts the client payload to a wireless speech. Final, the content is transmitted to client 1306. From the above passages, Shiau does indeed teach the instant application claimed language "a transformation engine to convert a data format used in the contents retrieval from the network into a format supported by a client device and adapting the contents to a client and adapting the contents for transmission to a telephone." (emphasis is original)

Applicant respectfully disagrees with these statements. As noted above, claim 1 recites "to search a network for contents" and further, "to convert a data format used in the contents retrieved from the network into a format supported by a client device." In contrast, paragraph 0041 of Shiau concerns formatting the input speech to generate a client payload. Further, a careful reading of paragraph 0041 discloses that the client payload is not what is transmitted to the client, as suggested in the Office Action. Paragraph 0041 discloses the client payload being converted to a wireless speech TP query, which in turn is converted to a resource identifier for

transmission to microbrowser 1305 for identifying the resource responsive to the resource identifier. Thus, the client payload in Shiau is converted, and not the "content retrieved from the network" as recited in claim 1. In addition, the client payload is never transmitted to the client as suggested in the Office Action, but is merely used to identify a resource responsive to a resource identifier that is identified from the client payload.

Further, paragraph 0041 fails to teach "to convert a data format used in the contents retrieved from the network into a format supported by a client device," as recited in claim 1. (emphasis added) Paragraph 0041 states,

A wireless transaction protocol socket 1316, communicable with micro-browser 1305 and gateway server 1304, receives the resource query from micro-browser 1305 and generates a wireless session (e.g., WSP) via gateway server 1304, which converts the WSP to HTTP, and through communications network 1301 to site server 1302 and thence to content server 1303, and further receives content from content server 1303 and transmits the content via site server 1302, network 1300, and gateway server 1304 to client 1306 to be displayed on display 1309.

Hence, paragraph 0041 discloses converting WSP to HTTP for communicating between devices, but fails to teach formatting the content of what is being communicated, and further, fails to teach formatting the content being communicated into a format supported by a client device.

For at least the reasons stated above, the Office Action fails to state a *prima facie* case of anticipation with respect to claim 1 because the Office Action fails to show how Shiau teaches each of the elements of claim 1. Therefore, Applicant respectfully requests withdrawal of the rejection and reconsideration and allowance of claim 1.

Claim 12 recites, "retrieving contents from a network based on the request; and adapting the contents to a client." Claim 22 recites, "retrieving contents from a network based on the request; and adapting the contents for transmission to a telephone." For reasons analogous to those stated above and elements in the claims, Applicant respectfully submits that the Office Action fails to state a *prima facie* case of anticipation with respect to claims 12 and 22. Therefore, Applicant respectfully requests withdrawal of the rejections and reconsideration and allowance of claims 12 and 22.

Claims 2-11 depend from independent claim 1. Claims 13 and 17-21 depend from independent claim 12. Claims 23-24 depend from independent claim 22. Thus, dependent

claims 2-11, 13, 17-21, and 23-24 include all the elements of the independent claim from which they depend. For reasons analogous to those stated above and elements in the claims, Applicant respectfully submits that the Office Action fails to state a *prima facie* case of anticipation with respect to claims 2-11, 13, 17-21, and 23-24. Therefore, Applicant requests withdrawal of the rejections and reconsideration and allowance of claims 2-11, 13, 17-21, and 23-24.

§103 Rejection of the Claims

Claims 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Shiau (U.S. 2002/0091527 A1) in view of Kitahara et al. (U.S. 2002/0046035 A1). Applicant does not admit that Shiau is prior art to the present patent application and reserves the right to swear behind the Shiau patent at a later date. Further, Applicant does not admit that Kitahara et al. is prior art to the present patent application and reserves the right to swear behind the Kitahara et al. patent at a later date. Applicant respectfully traverses the rejection without amendment to the claims in light of the remarks below in support of patentability.

Applicant submits that this rejection under 35 U.S.C. § 103(a) is not proper since all the elements of claims 14-16 are not taught or suggested, either alone or in combination, by Shiau and Kitahara et al. Claim 14 recites, “adapting the contents to a screen size of the client.” Claim 15 recites, “adapting the contents to a screen resolution of the client.” Claim 16 recites, “adapting the contents to a color depth of the client.” The Office Action on page 6 admits that Shiau does not explicitly teach adapting the contents to a screen size, resolution and color depth of the client. Applicant agrees. The Office Action relies on paragraphs 0041-0042 of Kitahara et al. as teaching these elements.

In the response to the previous Office Action, Applicant argued that there was no teaching or suggestion in paragraphs 0041-0042 of Kitahara et al. of the elements as recited in claims 14-16. In response to these arguments, the pending Office Action on page 8 recites quotations from paragraphs 0042, 0052, and 0071 of Kitahara et al. However, the Office Action fails to point out which, if any, of the elements these cited portions of Kitahara et al. teach or suggest. Therefore, the Office Action fails to state a *prima facie* case of obviousness with respect to claims 14-16 because the Office Action fails to show how either Shiau or Kitahara et

al., either alone or in combination, teach or suggest each of the elements as recited in claims 14-16.

In addition, claims 14-16 depend from independent claim 12, and thus include all the elements of claim 12. The Office Action does not depend on Kitahara et al. as teaching or suggesting the elements of claim 12, but relies on Shiau. For reasons analogous to those argued above, Shiau fails to teach or suggest each of the elements of claim 12. Therefore, neither Shiau nor Kitahara et al., either alone or in combination, teach or suggest all the elements of claims 14-16, and so the Office Action fails to state a *prima facie* case of obviousness with respect to claims 14-16.

Further, since Kitahara et al. fails to teach or suggest the elements as recited in any of claims 14-16, the statements on page 8 of the Office Action - "Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to provide a adapting the contents to screen size, resolution and color depth of the client because it provides a flexibility to the user select the desired scene in order to display data according to the user's telephone terminal, as suggested by Kitahara [see ¶ 0075]" - are not supported by the record. As argued above, the elements of adapting contents to screen size, resolution and color depth are not taught or suggested by Kitahara et al. Paragraph 0075 concerns inputs to a telephone terminal. Paragraph 0075 recites, "When the decision button is pressed" and "Rather than press this decision button, the user may pronounce a certain prescribed word, phrase, or sentence." However, a disclosure of pressing a button or pronouncing certain prescribed words, phrases or sentences concerns inputs to the telephone terminal, and fails to teach or suggest flexibility "in order to display data according to the user's telephone terminal." as suggested by the Office Action. Thus, the Office Action fails to state a *prima facie* case of obviousness with respect to claims 14-16 because the Office Action fails to provide specific, objective evidence of record for a finding of a teaching, suggestion or motivation to combine Shiau with Kitahara et al.

For at least the reasons stated above, Applicant respectfully requests withdrawal of the rejections and reconsideration and allowance of claims 14-16.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2109 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

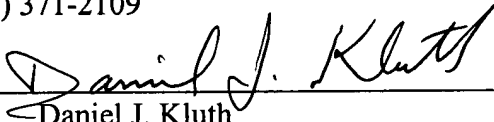
Respectfully submitted,

LIANG HE ET AL.

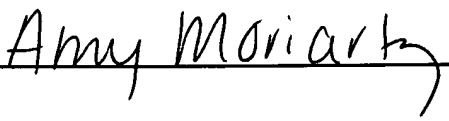
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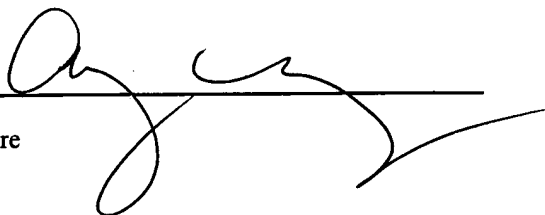
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